

## Coast Guard, DHS

§ 151.07

Ras Asir (11°50' N, 51°16.9' E) and the Ras Fartak (15°35' N, 52°13.8' E).

(7) The Antarctic areas means the sea south of 60° south latitude.

(8) *The North West European waters* mean the North Sea and its approaches, the Irish Sea and its approaches, the Celtic Sea, the English Channel and its approaches and part of the North East Atlantic immediately to the west of Ireland. The area is bounded by lines joining the following points:

48°27' N on the French coast  
48°27' N; 006°25' W  
49°52' N; 007°44' W  
50°30' N; 012° W  
56°30' N; 012° W  
62° N; 003° W  
62° N on the Norwegian coast  
57°44'.8 N on the Danish and Swedish coasts.

(9) *The Oman area of the Arabian Sea* means the sea enclosed by the following co-ordinates:

22°30'.00 N; 059°48'.00 E  
23°47'.27 N; 060°35'.73 E  
22°40'.62 N; 062°25'.29 E  
21°47'.40 N; 063°22'.22 E  
20°30'.37 N; 062°52'.41 E  
19°45'.90 N; 062°25'.97 E  
18°49'.92 N; 062°02'.94 E  
17°44'.36 N; 061°05'.53 E  
16°43'.71 N; 060°25'.62 E  
16°03'.90 N; 059°32'.24 E  
15°15'.20 N; 058°58'.52 E  
14°36'.93 N; 058°10'.23 E  
14°18'.93 N; 057°27'.03 E  
14°11'.53 N; 056°53'.75 E  
13°53'.80 N; 056°19'.24 E  
13°45'.86 N; 055°54'.53 E  
14°27'.38 N; 054°51'.42 E  
14°40'.10 N; 054°27'.35 E  
14°46'.21 N; 054°08'.56 E  
15°20'.74 N; 053°38'.33 E  
15°48'.69 N; 053°32'.07 E  
16°23'.02 N; 053°14'.82 E

(10) *The Southern South African waters* means the sea area enclosed by the following co-ordinates:

31°14' S; 017°50' E  
31°30' S; 017°12' E  
32°00' S; 017°06' E  
32°32' S; 016°52' E  
34°06' S; 017°24' E  
36°58' S; 020°54' E  
36°00' S; 022°30' E  
35°14' S; 022°54' E

34°30' S; 026°00' E  
33°48' S; 027°25' E  
33°27' S; 027°12' E

(11) *The North Sea area* means the North Sea proper, including seas within the North Sea southwards of latitude 62° N and eastwards of longitude 4° W; the Skagerrak, the southern limit of which is determined east of the Skaw by latitude 57°44.8' N; and the English Channel and its approaches eastwards of longitude 5° W.

(12) *The Wider Caribbean region* means the Gulf of Mexico and Caribbean Sea proper, including the bays and seas therein and that portion of the Atlantic Ocean within the boundary constituted by the 30° N parallel from Florida eastward to 77°30' W meridian, thence a rhumb line to the intersection of 20° N parallel and 59° W meridian, thence a rhumb line to the intersection of 7°20' N parallel and 50° W meridian, thence a rhumb line drawn southwesterly to the eastern boundary of French Guiana.

(b) Special areas for the purpose of Annex I of MARPOL 73/78 include those referenced in §151.13. Special areas for the purposes of Annex II of MARPOL 73/78 include those referenced in §151.32. Special areas for the purpose of Annex V of MARPOL 73/78 include those referenced in §151.53.

[CGD 94-056, 60 FR 43377, Aug. 21, 1995, as amended by USCG-2008-0179, 73 FR 35013, June 19, 2008]

### § 151.07 Delegations.

Each Coast Guard official designated as a Captain of the Port (COTP) or Officer in Charge, Marine Inspection (OCMI) or Commanding Officer, Sector Office, is delegated the authority to—

(a) Issue International Oil Pollution Prevention (IOPP) Certificates;

(b) Detain or deny entry to ships not in substantial compliance with MARPOL 73/78 or not having an IOPP Certificate or evidence of compliance with MARPOL 73/78 on board;

(c) Receive and investigate reports under §151.15; and

(d) Issue subpoenas to require the attendance of any witness and the production of documents and other evidence, in the course of investigations of potential violations of the Act to Prevent Pollution from Ships, as

## § 151.08

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amended (33 U.S.C. 1901–1911), this subpart, or MARPOL 73/78.

[CGD 88–002, 54 FR 18404, Apr. 28, 1989, as amended by CGD 88–002A, 55 FR 18582, May 2, 1990; USCG–2006–25556, 72 FR 36328, July 2, 2007]

### § 151.08 Denial of entry.

(a) Unless a ship is entering under force majeure, no oceangoing tanker or any other oceangoing ship of 400 gross tons or more required by §151.10 to retain oil, oil residue, or oily mixtures on board while at sea, and no oceangoing ship carrying a Category A, B, or C NLS cargo or NLS residue in cargo tanks that are required to be prewashed under 46 CFR Part 153, may enter any port or terminal under §158.110(a) of this chapter unless the port or terminal has a Certificate of Adequacy, as defined in §158.120 of this chapter.

(b) A COTP may deny the entry of a ship to a port or terminal under §158.110(b) if—

(1) The port or terminal does not have a Certificate of Adequacy, as required in §158.135 of this chapter; or

(2) The port or terminal is not in compliance with the requirements of Subpart D of Part 158.

[CGD 88–002, 54 FR 18404, Apr. 28, 1989, as amended by USCG–2000–7641, 66 FR 55570, Nov. 2, 2001]

### OIL POLLUTION

SOURCE: Sections 151.09 through 151.25 appear by CGD 75–124a, 48 FR 45709, Oct. 6, 1983, unless otherwise noted.

### § 151.09 Applicability.

(a) Except as provided in paragraph (b) of this section, §§151.09 through 151.25 apply to each ship that—

(1) Is operated under the authority of the United States and engages in international voyages;

(2) Is operated under the authority of the United States and is certificated for ocean service;

(3) Is operated under the authority of the United States and is certificated for coastwise service beyond three nautical miles from land;

(4) Is operated under the authority of the United States and operates at any time seaward of the outermost bound-

ary of the territorial sea of the United States as defined in §2.22(a)(2) of this chapter; or

(5) Is operated under the authority of a country other than the United States while in the navigable waters of the United States, or while at a port or terminal under the jurisdiction of the United States.

(b) Sections 151.09 through 151.25 do not apply to—

(1) A warship, naval auxiliary, or other ship owned or operated by a country when engaged in noncommercial service;

(2) A Canadian or U.S. ship being operated exclusively on the Great Lakes of North America or their connecting and tributary waters;

(3) A Canadian or U.S. ship being operated exclusively on the internal waters of the United States and Canada; or

(4) Any other ship specifically excluded by MARPOL 73/78.

(c) Sections 151.26 through 151.28 apply to each United States oceangoing ship specified in paragraphs (a)(1) through (a)(4) of this section which is—

(1) An oil tanker of 150 gross tons and above or other ship of 400 gross tons and above; or

(2) A fixed or floating drilling rig or other platform, when not engaged in the exploration, exploitation, or associated offshore processing of seabed mineral resources.

(d) Sections 151.26 through 151.28 do not apply to—

(1) The ships specified in paragraph (b) of this section;

(2) Any barge or other ship which is constructed or operated in such a manner that no oil in any form can be carried aboard.

(e) Section 151.26(b)(5) applies to all vessels subject to the jurisdiction of the United States and operating in Antarctica.

NOTE TO §151.09(c)(3): The term “internal waters” is defined in §2.24 of this chapter.

[CGD 88–002, 54 FR 18404, Apr. 28, 1989, as amended by CGD 88–002A, 55 FR 18582, May 2, 1990; CGD 93–030, 59 FR 51338, Oct. 7, 1994; CGD 97–015, 62 FR 18045, Apr. 14, 1997; USCG–2006–25150, 71 FR 39209, July 12, 2006; USCG–2007–27887, 72 FR 45904, Aug. 16, 2007; USCG–2008–0179, 73 FR 35013, June 19, 2008]